

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CONTRELL SMITH,

Petitioner,

v.

Case No. 04-80857
Hon. Lawrence P. Zatkoff

UNITED STATES OF AMERICA,

Respondent.

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**OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter comes before the Court on Magistrate Judge Scheer's Report and Recommendation [dkt 373], in which the Magistrate Judge recommends that the Court deny Petitioner's amended motion to vacate, set aside, or correct sentence [dkt 351]. Petitioner has filed objections to the Report and Recommendation [dkt 374], and the Court reviews the objected-to portions of the Report and Recommendation *de novo*.

The Court has thoroughly reviewed the court file, the Report and Recommendation, and Petitioner's objections. As a result of that review, the Court ADOPTS the Report and Recommendation and enters it as the findings and conclusions of this Court.

Accordingly, IT IS HEREBY ORDERED that Petitioner's amended motion to vacate, set aside, or correct sentence [dkt 351] is DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: August 2, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on August 2, 2010.

s/Marie E. Verlinde
Case Manager
(810) 984-3290